

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DARYL WAYNE SMITH,

Plaintiff, :

v.

Case No. 2:24-cv-3344
Chief Judge Sarah D. Morrison
Magistrate Judge Elizabeth A.
Preston Deavers

DEPUTY SHERIFF JASON
SCHWARCK, *et al.*, :

Defendants.

ORDER

On September 18, 2024, the Magistrate Judge issued a Report and Recommendation recommending that Plaintiff Daryl Wayne Smith's complaint be dismissed except for his claims against Defendant Officer Hunter Sylvis in his individual capacity. (ECF No. 10.) The parties were advised of the right to file objections to the Report and Recommendation and of the consequences of failing to do so. No objections have been filed, and the time for filing objections has passed. For the reasons set forth therein, the Court **ADOPTS** and **AFFIRMS** the Report and Recommendation. This case is **DIMISSED** except for Mr. Smith's claims against Officer Sylvis in his individual capacity.

IT IS SO ORDERED.

/s/ Sarah D. Morrison

SARAH D. MORRISON
CHIEF UNITED STATES DISTRICT JUDGE